

Staff Summary Report



Hearing Officer Hearing Date: February 5, 2008

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items located at the **CANZANO RESIDENCE (PL070073/ABT08001)** located at 1133 East Concorda Drive.

DOCUMENT NAME: 20080205dssd05

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **CANZANO RESIDENCE (PL070073/ABT08001)** (Robert Canzano, property owner) Complaint CE075391 located at 1133 East Concorda Drive in the R1-6, Single Family Residential District.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)
Nick Graves, Planning Intern (480-350-8942)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

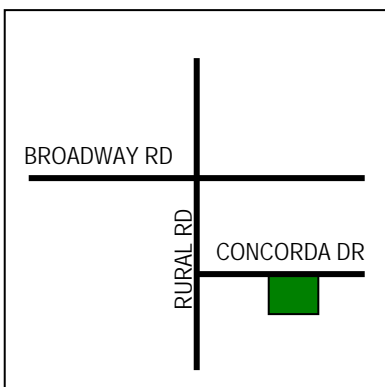
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

ADDITIONAL INFO: The Neighborhood Enhancement Division is requesting approval to authorize the abatement of the **CANZANO RESIDENCE** (Robert Canzano, property owner) Complaint CE075391 located at 1133 East Concorda Drive in the R1-6, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Staff recommends the authorization of abatement of this property.



PAGES:

1. List of Attachments
2. Comments; History & Facts/Description

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-7. Neighborhood Enhancement Report

COMMENTS:

The Neighborhood Enhancement Division is seeking approval of a request to authorize the abatement of the **CANZANO RESIDENCE** (Robert Canzano, property owner) Complaint CE075391 located at 1133 East Concorda Drive in the R1-6, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Refer to the attached memo and photos from Brandy Zedlar, Neighborhood Enhancement Inspector, for the history and facts on the enforcement of the property.

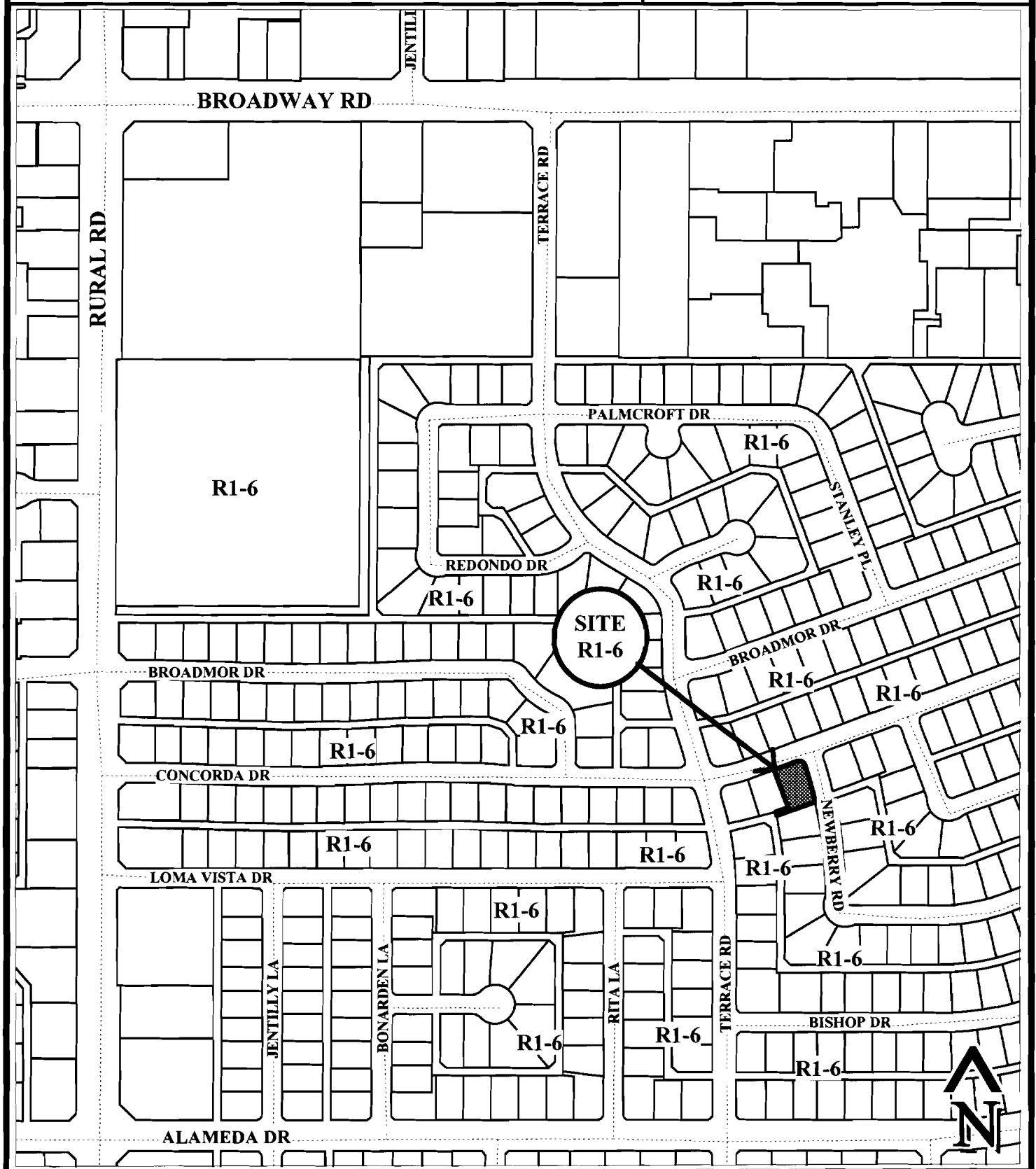
Staff recommends the authorization of abatement of this property.

HISTORY & FACTS: See attached memo from the Neighborhood Enhancement Division.

DESCRIPTION: Owner – Robert Canzano
Applicant – Brandy Zedlar, COT Neighborhood Enhancement
Existing zoning – R1-6, Single Family Residential District
Lot area – 8,678 s.f. / .20 acres
Building area – 2,519 s.f.
Year of construction – 1963

CANZANO RESIDENCE

PL070073





CANZANO RESIDENCE (PL070073/ABT08001)

DATE: 12/19/07
TO: Jan Koehn, Administrator
FROM: Brandy Zedlar
SUBJECT: Request to Authorize for Abatement– Reference Complaint #CE075391

LOCATION: 1133 E. Concorda Dr., Tempe, AZ 85282

LEGAL: Book 133, Map 56, Parcel 059, as recorded with the Maricopa County Assessor

OWNER: Robert Canzano

FINDINGS:

9/12/07 – The Neighborhood Enhancement Division received a complaint on the above property concerning the dead tree in the front yard and the unregistered vehicle in the driveway.

9/27/07 – The property was inspected and found to be in violation for having an unregistered Ford Bronco II parked in the driveway and a dead tree in the front yard. Since this property has been in violation for the same offenses in the last 12 months, a final notice was sent to the property owner.

10/19/07 – The property was inspected and found that the Ford Bronco II was removed from the property but no change with the removal of the dead tree. A second final compliance notice was sent to the property owner.

11/14/07 – The property was inspected and found there to be no change. Pictures were taken and a civil citation was issued.

12/14/07 – The property was inspected and found there to be no change. The Neighborhood Enhancement Division filed for an Abatement Hearing.

PROPERTY HISTORY:

1993 - 2001 – Eleven civil citations were issued for multiple violations.

09/02/05 – Criminal charges were filed with the City Prosecutors office for deteriorated swimming pool and landscape.

4/14/07 – Property was abated by the City of Tempe.

RECOMMENDATIONS:

I recommend the approval for abatement at 1133 E. Concorda Dr., which is owned by Mr. Robert Canzano. Due to the history of this property, it is very clear that Mr. Canzano is unable to keep his property in compliance. Mr. Canzano has been given ample time and opportunities to bring his property into compliance and has failed in every case. There has been no indication in Mr. Canzano's actions that he plans on maintaining the property and keeping it in compliance.

Respectfully submitted,
Brandy Zedlar

ACTION TAKEN: Referred to Hearing Officer

NAME: Jan Koehn

DATE: 12/19/07



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-8372
(480) 858-2231 (fax)

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: December 20, 2007

TO: Robert Canzano

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

LEGAL: Book 133, Map 56, Parcel 059, as recorded with the Maricopa County Assessor.

LOCATION: 1133 E. Concorda Dr., Tempe, AZ 85282

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of February 5, 2008. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of: Those items constituting a violation of TCC 21-3-b-8 which would include the removal of the dead trees and cleaning up the landscape in the front and side yard.

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$537.50. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City. If you have questions regarding this matter, please contact our office at (480) 350-8372.

Code Enforcement Officer: Brandy Zedlar

Phone Number 480-350-8372

Bishop Inc.

6340 S. Rural Rd. #118-217

Tempe AZ 85283

PH: (602) 339-2082 Fax (480) 413-1691

7848

Estimate

Name: <u>City of Tempe</u>
Address: <u>P.O.Box 5002</u>
City: <u>Tempe, Az. 85281</u>
Attn: <u>Brandy</u>

Date	<u>12/06/2007</u>
Order #	<u></u>
Customer #	<u></u>
Our Order #	<u></u>

Qty	Description
	Work done at:
	1133 E. Concordia
	Scope of work:
	Cut down dead tree in front yard.
	Trim up branches on other trees Overhanging sidewalk areas.
	Off duty police officer to be on site During abatement (3 hrs. min.)
	Price includes all labor, material, and dump fees
	Contract #T05-102-01

Unit Price	Total
	\$ 395.00
\$ 47.50	\$ 142.50

Total: \$ 537.50**Disclaimer:**

Prices may vary do to work completed by homeowner, and the time lapse between this estimate and the abatement date. This estimate is based on a visual inspection of the property due to no access to backyards, locked gates, occupied property and obstructions to the visual inspection such as tarps, plywood covering, over growth of trees and bushes, plastic bags, etc. etc.

